

**IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF ILLINOIS  
EASTERN DIVISION**

Daniel McDuffie,	)	
	)	CIVIL ACTION
Plaintiff,	)	
	)	File No. 1:17-cv-01842
v.	)	
	)	Honorable Sara L. Ellis
Queen's Park Oval Asset Holding Trust, et	)	Magistrate Judge Maria Valdez
al.,	)	
	)	
Defendant.	)	
	)	

**MOTION FOR AN EXTENSION OF TIME FOR DEFENDANT  
TO RESPOND TO AMENDED COMPLAINT**

U.S. Bank Trust National Association, not in its individual capacity but solely as owner Trustee for Queen's Park Oval Asset Holding Trust ("U.S. Bank as Trustee"), by and through its attorneys, Bryan Cave LLP, moves this Court to enter an Order granting it an extension of time of 28 days, up to and including August 25, 2017, within which to file its response to the Amended Complaint. In support of its Motion, Defendant states as follows:

1. On March 8, 2017, Daniel McDuffie ("Plaintiff") filed a Complaint against Queens Park, Cagan Management Group ("Cagan"), and Housing & Urban Development. (Dkt. # 1.)
2. On April 28, 2017, Plaintiff filed a Motion to Amend the Complaint to dismiss Housing and Urban Development and add U.S. Bank National Association as Trustee as a party. (Dkt. # 9.)
3. On May 9, 2017, this Honorable Court granted Plaintiff's Motion to Amend the Complaint and the Amended Complaint was filed. (Dkts. # 13 and 19.)

4. On June 13, 2017, this Honorable Court ordered that all responsive pleadings be filed by July 28, 2017. (Dkt. # 18.)
5. On June 28, 2017, U.S. Bank as Trustee was served at a U.S. Bank branch in Chicago. (Dkt. # 20.) It is unclear whether U.S. Bank was named as the Trustee for Queen's Park Oval Asset Holding Trust ("Queen's Park") or in its individual capacity.
6. Queens Park has not been served with the summons and complaint. (*See* Docket, *gen.*)
7. Counsel requires additional time to determine if service was proper on U.S. Bank as Trustee and to analyze grounds for dismissal, including whether this Court has subject matter jurisdiction when Cagan and Plaintiff appear to be non-diverse and there is no federal question.
8. Accordingly, Defendant U.S. Bank as Trustee respectfully requests a 28 day extension of time, up to and including August 25, 2017, within which to respond to the Amended Complaint.
9. This motion is timely, is not being made for the purpose of delay, and Plaintiff will not be prejudiced by the short extension requested.

WHEREFORE, Defendant, U.S. Bank Trust National Association, not in its individual capacity but solely as owner Trustee for Queen's Park Oval Asset Holding Trust, prays that this Honorable Court enter an Order granting a 28 day extension of time, up to and including August 25, 2017, within which to respond to Plaintiffs' Amended Complaint.

Dated: July 28, 2017

Respectfully submitted,

U.S. Bank Trust National Association, not in  
its individual capacity but solely as owner  
Trustee for Queen's Park Oval Asset  
Holding Trust

By: /s/ Courtney J. Nogar  
One of Its Attorneys

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**CERTIFICATE OF SERVICE**

Courtney J. Nogar, one of the attorneys for Defendants, certifies that on July 28, 2017, she served a true and correct copy of the foregoing document upon all parties of record by causing said document to be served via electronic filing using the Court's ECF filing system.

/s/ Courtney J. Nogar